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BY ECF

The Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

      Re: United States v. Ernesto Lopez and Audra Baker
               18 Cr. 06 (DLC)

Dear Judge Cote:

I am writing to advise the Court and counsel that Dr. Lopez underwent an emergency surgical procedure at New York Hospital last Thursday, January 24.
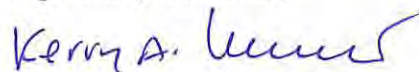
The procedure was a carotid artery stenting to re-open the left carotid artery. The procedure was necessary as a result of findings from a Dr. Joseph Safdieh, a Neurologist at Weill Cornell, who ordered three MRA (Magnetic Resonance Angiograms) of carotid arteries and brain that were performed the day before. Those test results revealed at least three acute infarction areas (strokes) in the left side of the brain, with smaller areas representing significant ischemia (lack of circulation); an extremely dangerous lesion in the left carotid artery; plaque with internal bleeding with danger of a large piece of plaque rupturing and/or a blood clot producing a massive stroke in the left brain hemisphere; an additional lesion in the right sided carotid artery; and other significant abnormalities (smaller brain volume, ventricular dilatation, etc).

Dr. Lopez was discharged on Friday and is home.

I expect to speak to Dr. Lopez's neurologist today and discuss with him Dr. Lopez's condition as well as his ability to both undergo a trial and assist in his defense at the trial scheduled to start February 11.

At the present time I am not requesting any modification of the trial schedule but thought it prudent to advise the Court and all counsel of these developments.

Respectfully submitted,

Kerry A. Lawrence

cc: All counsel (via email and ECF)